

DIST	FED
AT	NEBRASKA
JAN 30 1989	
William N. Olson, Clerk	
By _____ Deputy	

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

CR 89-0-10

Plaintiff,

## O R D E R

RICHARD R. BLACKBIRD

Defendant.

JUDGE CAMBRIDGE

Upon arraignment of defendant this date and the entry of  
plea(s) of not guilty,

## IT IS ORDERED:

1. By the 10th day of February, 19 89, counsel  
shall confer and accomplish the automatic discovery provided for in  
Fed. R. Crim. P. 16;

2. If pretrial motions are necessary, they shall be filed  
by the 20th day of February, 19 89, and that time  
limit will not be extended by the court except for good cause  
shown. In this connection, the United States Attorney shall  
disclose Brady v. Maryland (and its progeny) material as soon as  
practicable. Should the defendant nonetheless file a motion for  
such disclosure, such motion shall state with specificity the  
material sought;

3. If any pretrial motion or application is filed, a copy  
thereof and the supporting brief required by the provisions of  
local Rule of Practice 20 shall be simultaneously delivered to the  
undersigned United States Magistrate. Opposing briefs shall be  
submitted within five (5) working days thereafter;

4. If plea negotiations are to be instituted, they shall be  
concluded and advice thereof given to the trial judge not less  
than one week prior to trial date;

5. Trial of this case is set for 9:00 a.m. on the 20th day of  
March, 19 89, or as soon thereafter as the case is  
called;

6. Any original application, motion or voucher which is  
intended to be presented ex parte shall be delivered to the  
appropriate judicial officer (normally the Magistrate), not to  
the Clerk of the court, clearly captioned so as to disclose that  
the request is made ex parte, together with a supporting brief  
stating the basis for ex parte consideration;

7. Applications or vouchers pursuant to the Criminal  
Justice Act for authorization to hire third parties, to exceed  
the amounts set forth in the Criminal Justice Act, or for the  
expenditure of Criminal Justice Act funds shall be supported by

information necessary for the court to make a decision pursuant to the Criminal Justice Act, particularly:

- a. the name, address and telephone number of the person sought to be hired (if applicable);
- b. a specific statement of the amount sought and the method for computing said amount;
- c. a specific statement setting forth the factual and legal bases which support the request;

8. Any defense motion for continuance or extension of deadlines, whether of the trial date or otherwise, shall be supported by a written affidavit of the defendant stating that the defendant understands that the extra time will be excludable time for purposes of computing Speedy Trial Act deadlines, if such is the case; if defendant believes otherwise, the affidavit shall so state. Any motion for continuance shall set forth the reasons why the moving party believes that extra time should be allowed by the court;

9. The defendant shall be present at all pretrial arguments or hearings unless excused by the court, and if permission is sought to be absent, the defendant shall deliver to the court in advance an affidavit stating that the defendant knowingly, intelligently and voluntarily gives up the right to attend such argument or hearing.

DATED this 30th day of January, 198<sup>9</sup>.

BY THE COURT:

  
\_\_\_\_\_  
Richard G. Kopf  
United States Magistrate